



28/04/2003 11:42 +49-211-6798933

PA'E HEMMERICH&KOLLE

S. 06

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Rainer BARTSCHER et al  
Patent App. 10/717,432  
Filed 18 November 2003  
For INTRAVENTOUS TUBING HEATER  
Art Unit Not known  
Hon. Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450

STATEMENT AS TO REPRESENTATION

With respect to the above-identified application, the undersigned hereby authorizes the United States Attorneys and Agents named in the Declaration accompanying the application or in any Declaration subsequently filed in the application to expect and follow instructions from:

Hemmerich, Müller & Partner  
Ed.-Schloemann Strasse 55  
D-40237 Düsseldorf  
Germany

for any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the above-mentioned United States Attorneys or Agents and the undersigned. In the event of change in the person or persons from whom instructions may be taken, the above-mentioned United States Attorneys or Agents named in such Declaration will be so notified by the undersigned.

Date: 2004-03-05

Date: 2004-03-05

Signed: Rainer Bartscher  
Rainer BARTSCHER

Signed: Michael Pelster  
Michael PELSTER

28/04/2004 11:42

+49-211-6798933

PA'E HEMMERICH&KOLLE

S. 04



**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**INTRAVENOUS TUBING HEATER**

the specification of which was filed 18 November 2003 as application 10/717,432.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application**

Country	Number	Filing Date	Priority claimed
Germany	10254050.0	19 November 2002	Yes

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith:

Herbert Dubno, Reg. 19,752; Andrew Wilford, Reg. 26,597; Jonathan Myers, Reg. 26,963 and each of them individually.

Address all correspondence to:

The Firm of Karl F. Ross, P.C.  
Customer Number 535  
5676 Riverdale Avenue, Box 900  
Bronx, NY 10471-0900  
(718) 884-6600

Direct all telephone calls to:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Rainer BARTSCHER**

Inventor's signature Rainer Bartscher Date: 2004-03-05

Residence: Bad Wünnenberg, Germany

Citizen of Germany

Post-office Address: Josefstr. 6, D-33181 Bad Wünnenberg, Germany

Full name of second inventor:

**Michael PELSTER**

Inventor's signature Michael Pelster Date: 2004-03-05

Residence: Warstein-Hirschberg, Germany

Citizen of Germany

Post-office Address: Kurfürstenstr. 3, D-59581 Warstein-Hirschberg, Germany